

CALIFORNIA INDUSTRIAL HYGIENE COUNCIL

*Advancing public policy to improve the health and safety
of workers and the community.*

July 7, 2025

Via email: eberg@dir.ca.gov

Cc: jlandaverde@dir.ca.gov

Dr. Erig Berg
Deputy Chief of Health
Cal/OSHA
Oakland, California

RE: Discussion Draft for Revised Regulation §5141.1. Protection from Wildfire Smoke

Dear Dr. Berg,

The California Industrial Hygiene Council (CIHC) appreciates the opportunity to comment on the discussion draft for revised regulation §5141.1, Protection from Wildfire Smoke. Our comments are based on the discussion draft dated April 23, 2025, and CIHC offers the following suggested changes. We also have questions for further discussion, which we will present at the upcoming monthly OSHSB meeting on July 17, 2025.

§5141.1(b)(1)

CIHC supports the change to the Current Air Quality Index (Current AQI) Table as shown in Section 5141.1(b)(1), which is adapted from Table 2 of Title 40 Code of Federal Regulations, Part 58, Appendix G, which resulted in lower AQI Categorization for PM2.5 in the “hazardous” category. This change is expected to be more protective of worker and public health and aligns with the current scientific research, which suggests that exposure to PM2.5 is associated with adverse health effects, such as cancer, and cardiovascular, nervous system, and respiratory effects, and can lead to increased mortality and exacerbation of pre-existing cardiovascular and respiratory conditions.

§5141.1(c)

CIHC recommends that the language for Exception 1 to subsection (c) be edited as follows:

“The employer assumes the current AQI for PM2.5 is greater than 300 ~~(for agricultural employers) or 500 (for all other employers)~~ for all outdoor workers and complies with subsection (f) using that assumption; or”

While agricultural workers are at high risk of exposure to PM2.5 during events where AQI is elevated, due to the nature of their outdoor work, any worker who spends significant time outdoors during their job duties could also be considered high risk. CIHC’s proposed language aligns with the change to the “hazardous” category in the Current AQI Index Table and would protect all outdoor workers exposed to air quality conditions that fall in the “hazardous” category

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for PM2.5. Changing this language to all outdoor workers will protect agricultural workers as required by the recent legislation, but will also protect others.

§5141.1(f)(3)(B)

CIHC recommends that the language for subsection (f)(3)(B) be edited as follows:

“Where the current AQI for PM2.5 is greater than 151, but does not exceed 300~~300 (for agricultural employers) or 500 (for all other employers)~~, the employer shall...”

This revised language is recommended per the same rationale as listed above in §5141.1(c). Any worker who spends significant time outdoors during their job duties could be considered high risk.

The CIHC, founded in 1990, represents the occupational and environmental health profession in California and is affiliated with the national American Industrial Hygiene Association (AIHA), an 8,000-member organization. The CIHC is formally comprised of occupational and environmental health and safety professionals who are members of the five California AIHA local sections represented by the CIHC Board of Directors. The CIHC’s mission is to provide sound scientific and technological input to the regulatory and legislative process, and establish a legislative presence in the state Capitol through professional representation. CIHC appreciates the opportunity to provide comments to the Occupational Safety and Health Standards Board. Please let us know if there are any questions concerning the above-stated comments. On behalf of CIHC, I may be reached by telephone at 858-247-1050 or email at megan.canright@facs.com.

Very truly yours,
California Industrial Hygiene Council



Megan Canright Racicot, MPH, CIH
President, CIHC